



BY-LAW NO. 2009-200

A by-law of the City of Ottawa to protect trees on private property in the urban area.

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Updated August 2014

Amending by-law numbers:

2009-268

2011-364

2011-418

2012-229

2012-254

2013-102

2014-306

BY-LAW NO. 2009 - 200

area.
A by-law of the City of Ottawa to protect trees on private property in the urban

The Council of the City of Ottawa enacts as follows:

PART I

GENERAL

DEFINITIONS

1. In this by-law:

“agricultural operation” means an agricultural, aquacultural, horticultural or silvicultural operation that is carried out with the expectation of gain or reward;

“applicant” means the person who submits an application to the City for a tree permit or a distinctive tree permit, as applicable;

“arborist” means an expert in the care and maintenance of trees and includes an arborist qualified by the Ontario Ministry of Training, Colleges and Universities, a certified arborist with the International Society of Arboriculture, a consulting arborist registered with the American Society of Consulting Arborists, a Registered Professional Forester or a person with other similar qualifications as approved by the General Manager;

“By-law Officer” means a person appointed by the Council of the City of Ottawa as a Municipal Law Enforcement Officer to enforce the provisions of this by-law;

“building permit” means a building permit issued pursuant to the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended;

“condominium” means a corporation created upon registration of a declaration and description under the provisions of the *Condominium Act, 1998*, S.O. 1998, c. 19; (2011-418)

“City” means the municipal corporation of the City of Ottawa or the geographic area of the City of Ottawa as the context requires;

“DBH” or “diameter at breast height” means the measurement of a trunk of a tree at a height of one hundred and twenty (120) cm for trees of fifteen (15) cm diameter or greater, and at a height of thirty (30) cm for trees of less than fifteen (15) cm diameter;

“destroy” means to remove, cut down or in any other way damage a tree to such an extent that it is deemed necessary to remove or cut down the tree and “destruction” has a corresponding meaning;

“distinctive tree” means any tree with a DBH of 50 centimetres or greater;

“farming business” means a farming business within the meaning of the Income Tax Act (Canada);

“General Manager” means the General Manager of Planning and Growth Management of the Infrastructure Services and Community Sustainability Department of the City or authorized designates acting under his or her authority;

“good arboricultural practice” means the proper planting and care of trees in accordance with the standards set by the International Society of Arboriculture;

“good forestry practices” means the proper implementation of harvest, renewal and maintenance activities known to be appropriate for the forest and environmental conditions under which they are applied and that minimize detriments to forest values including significant ecosystems, important fish and wildlife habitat, soil and water quality and quantity, forest productivity and health and aesthetics and recreational opportunities of the landscape;

“injure” means any action which causes physical, biological, or chemical damage to a tree and “injury” has a corresponding meaning;

“multi-residential development” means land used for residential purposes that has seven or more self-contained units under a single ownership: (2011-418)

“Municipal Act, 2001” means the *Municipal Act, 2001*, S.O. 2001, c.25, as amended;

“normal farm practice” means a practice that,

- (a) is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances, or
- (b) makes use of innovative technology in a manner consistent with proper advanced farm management practices;

“owner” means the registered owner of the land where a tree is to be protected, injured or destroyed;

“person” means any individual, association, firm, partnership, corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law;

“plant nursery” means the use of lands, buildings or structures, or portions thereof, where trees, shrubs, or other plants are grown for the purpose of retail or wholesale trade and which may include the accessory sale of soil, planting materials, fertilizers, garden equipment, ornaments and similar material;

“Stop Work Order” means an order issued pursuant to this by-law to stop the injury or destruction of trees;

“tree” means any species of woody perennial plant, including its root system, which is 10 centimetres or greater in DBH and which can reach a minimum height of at least four hundred and fifty (450) centimetres at physiological maturity but does not include a tree regulated by the City’s “Municipal Trees and Natural Areas Protection By-law”, as amended;

“tree conservation report” means a plan prepared by an arborist that is consistent with the City’s Guidelines prescribed in Schedule “A” and that identifies the location, species and size of trees on a property, identifies trees to be cut and trees to be retained and provides tree protection measures that eliminate or mitigate the potential risk of tree damage, including but not limited to protective barriers and hoarding;

“urban area” means the lands shown on Schedule “B”, Urban Policy Plan, of the City’s Official Plan, as amended and those lands within the hatched areas as shown on Schedules “C” to “M” (2012-229) inclusive (2011-364) to this by-law.

SCOPE

2. This by-law applies only to a tree, the trunk of which is located entirely on private property in the urban area.

INTERPRETATION

3. (1) A word interpreted in the singular number has a corresponding meaning when used in the plural.
- (2) It is declared that if any section, subsection or part or parts thereof be declared by any Court of Law to be bad, illegal or ultra vires, such section, subsection or part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.
- (3) The word “metre” shall be represented by the abbreviation “m” and the word “centimetre” shall be represented by the abbreviation “cm”.
- (4) This by-law includes Schedules “A” to “H” inclusive annexed hereto and Schedules “A” to “K” (2012-229) are hereby declared to form part of this by-law (2011-364).

PART II

TREES ON LAND GREATER THAN ONE HECTARE IN AREA

SCOPE

4. The provisions of this Part shall apply to trees on a property, which is greater than one (1) hectare in area within the urban area of the City.

4A. Despite Section 4, the provisions of this Part shall not apply to condominiums or existing multi residential developments on properties greater than one hectare. (2011-418)

PROHIBITION

5. No person shall injure or destroy a tree or cause the injury or destruction of a tree unless a tree permit has been issued by the General Manager to permit the injury or destruction.

6. No person or permit holder shall injure or destroy a tree unless the injury and destruction is conducted in accordance with the conditions of the tree permit.

7. No person or permit holder shall fail to protect a tree by implementing the protection measures identified in the approved tree conservation report.

APPLICATION FOR A TREE PERMIT

8. (1) Any person who intends to injure or destroy a tree on land greater than one (1) hectare in area shall submit to the General Manager an application for a tree permit that includes the information described in subsection (2).

(2) The application shall include:

- (a) the name, address and telephone number of the owner;
- (b) the name, address and telephone number of the applicant, if different from the owner and the owner's written consent to the application;
- (c) the name, address and telephone number of the arborist hired by the owner or applicant to complete the tree conservation report;
- (d) the name, address and telephone number of the contractor implementing the tree conservation report, if applicable;
- (e) the municipal address and legal description of the land, upon which the trees are proposed to be protected, injured or destroyed;
- (f) confirmation of existing Official Plan and zoning designations, and the status of any planning applications on the property;
- (g) the purpose for which the permit is required;
- (h) a tree conservation report in hard copy and digital copy consistent with the City's Guidelines as prescribed in Schedule "A";
- (i) a schedule for the proposed works, including the start and end dates and the construction period;

- (j) confirmation of any other applications affecting the land, upon which the trees are to be protected, injured or destroyed;
- (k) the fee prescribed in Schedule “B”; and
- (l) such other information as deemed necessary by the General Manager.

PERMIT ISSUANCE

9. The General Manager shall review the complete tree permit application and may,
- (a) issue a tree permit;
 - (b) issue a tree permit with conditions; or
 - (c) refuse to issue a tree permit.

ISSUANCE OF APPROVALS

10. The General Manager may issue a tree permit to injure or destroy trees where the tree conservation report demonstrates, to the satisfaction of the General Manager that,
- (a) it is necessary to remove, dangerous, dead, diseased or severely injured trees or branches for safety reasons;
 - (b) the trees are causing or are likely to cause structural damage to load-bearing structures or roof structures;
 - (c) the injury or destruction is required in order to remediate contaminated soil;
 - (d) the trees are to be relocated and the trees will be sufficiently prepared for relocation;
 - (e) the injury or destruction is required for trees specifically identified on plans approved by the Ontario Municipal Board, City Council or a final and binding decision of the Committee of Adjustment;
 - (f) the injury or destruction is necessary to install, provide or maintain utilities, water or sanitary wastewater infrastructure required for the construction or use of a building or structure;
 - (g) there is no reasonable alternative to the injury or destruction;
 - (h) the injury or destruction is consistent with good forestry practices;
 - (i) other circumstances deemed appropriate by the General Manager exist.
11. The General Manager may impose conditions on a tree permit including but not limiting the following conditions:
- (a) any condition in accordance with good arboricultural practice;
 - (b) any condition recommended by an arborist;
 - (c) measures to be implemented to protect the retained trees during construction, where applicable;
 - (d) destruction is to be carried out by or under the supervision of an arborist;
 - (e) the manner and timing of the injury or destruction of the tree or trees; or
 - (f) a requirement to plant replacement trees in accordance with Section 12.
12. Where a tree permit requires, as a condition, the planting of a replacement tree, the General Manager may impose the following provisions with respect to a replacement tree:

- (a) the species, size and location of the replacement trees;
- (b) the number of replacement trees which shall be the greater of the number of replacement trees specified in the permit or the number of trees to be planted in accordance with the subdivision, condominium or site plan approval;
- (c) the timing for the planting of a replacement tree; or
- (d) the maintenance and care of a replacement tree including the deposit of security in the form of a letter of credit, cash or certified cheque in an amount to be determined by the General Manager to guarantee, for a specified period of time, the cost of maintaining or replacing a replacement tree.

REVOCATION OF A TREE PERMIT

13. (1) The General Manager may revoke a tree permit if,
- (a) the tree permit was issued on mistaken, misleading, false or incorrect information;
 - (b) the tree permit was issued in error;
 - (c) the owner or permit holder requests, in writing, that it be revoked;
 - (d) the owner or permit holder fails to comply with the conditions under which the approval was issued; or
 - (e) the owner or permit holder fails to comply with any provision of the approved tree preservation report or this by-law.
- (2) No person shall knowingly furnish false or incorrect information for the purposes of obtaining a tree permit.

PART III

DISTINCTIVE TREES

SCOPE

14. This Part applies to distinctive trees on properties one hectare or less in area and on condominium properties and existing multi residential development properties greater than one hectare in area within the urban area of the City. (2011-418)

PROHIBITION

15. No person shall injure or destroy or cause the injury or destruction of a distinctive tree, unless a distinctive tree permit has been issued by the General Manager to permit the injury or destruction.

16. No person or permit holder shall injure or destroy or cause the injury or destruction of a distinctive tree unless the injury or destruction is carried out in accordance with the conditions of a distinctive tree permit.

17. No person or permit holder shall fail to protect a distinctive tree that has been identified for protection in accordance with the conditions of a distinctive tree permit issued by the General Manager.

APPLICATION FOR DISTINCTIVE TREE PERMIT

18. (1) Any person who intends to injure or destroy a distinctive tree shall submit to the General Manager an application for a distinctive tree permit as prescribed in subsection (2). (2009-268)
- (2) The application shall include: (2009-268)
- (a) the name, address and telephone number of the owner; (2009-268)
 - (b) the name, address and telephone number of the applicant, if different from the owner and the owner's written consent to the application; (2009-268)
 - (c) the name, address and telephone number of the arborist hired by the owner or applicant to complete the distinctive tree permit; (2009-268)
 - (d) the name, address and telephone number of the contractor implementing the distinctive tree permit; (2009-268)
 - (e) the municipal address and legal description of the land, upon which the distinctive tree or trees are to be protected, injured or destroyed; (2009-268)
 - (f) confirmation by the arborist of the location of the distinctive tree on the property; (2009-268)
 - (g) confirmation of existing Official Plan designations, and the status of any planning applications on the property; (2009-268)
 - (h) the purpose for which the distinctive tree permit is required; (2009-268)
 - (i) a report of an arborist that supports the application for injury or destruction; (2009-268)
 - (j) a schedule for the proposed works, including the start and end dates and the construction period; (2009-268)
 - (k) confirmation of any other applications affecting the land, upon which the trees are to be protected, injured or destroyed; and (2009-268)
 - (l) such other information deemed necessary by the General Manager. (2009-268)
- (2A) Where a site plan application, Committee of Adjustment application or a building permit application is made within the Infill Area as shown on Schedule N, the owner or applicant shall submit a Tree Disclosure Information Report on the grading plan in addition to the information contained in subsection (2). (all of 2A-2013-102)
- (2B) The Tree Disclosure Information Report shall contain the following:
- (a) a table listing the DBH, species, condition and ownership for all City owned trees on City property adjacent to the subject site, all distinctive

19. The General Manager shall review the complete application for a distinctive tree permit and may,

- (a) issue a distinctive tree permit;
- (b) issue a distinctive tree permit with conditions; or
- (c) refuse to issue a distinctive tree permit.

20. The General Manager may approve the issuance of a distinctive tree permit where, the application demonstrates to the satisfaction the General Manager that,

- (a) it is necessary to remove a dangerous, dead, diseased or severely injured distinctive tree or branches for safety reasons;
- (b) the distinctive tree is causing or is likely to cause structural damage to load-bearing structures or roof structures;
- (c) the injury or destruction of the distinctive tree is required in order to remediate contaminated soil;

- (d) the injury or destruction of the distinctive tree is specifically identified on plans approved by the Ontario Municipal Board, Council or a final and binding decision of the Committee of Adjustment;
- (e) the applicant has undertaken to implement satisfactory landscaping, replanting or tree preservation;
- (f) the injury or destruction is necessary to install, provide or maintain utilities, water or sanitary wastewater infrastructure required for the construction or use of a building or structure for which a building permit has been issued;
- (g) there is no reasonable alternative to the injury or destruction;
- (h) other circumstances deemed appropriate by the General Manager exist.

21. The General Manager may impose conditions on a distinctive tree permit including but not limited the following conditions:

- (a) any condition in accordance with good arboricultural practice;
- (b) any condition recommended by an arborist;
- (c) measures to be implemented to protect the retained trees during construction, where applicable;
- (d) the manner and timing of the injury or destruction of the tree or trees;
- (e) the injury or destruction is to be carried out by or under the supervision of an arborist;
- (f) a requirement to plant replacement trees in accordance with Section 22.

22. Where a distinctive tree permit requires as a condition the planting of replacement trees, the General Manager may impose the following conditions with respect to the replacement tree:

- (a) the species, size and location of a replacement tree; and
- (b) the timing for the planting of the replacement trees.

NOTICE

23. No permit holder shall fail to post the distinctive tree permit on the subject property,

- (a) in a prominent location so as to be clearly visible to the public;
- (b) for a period of not less than seven (7) days prior to any action being undertaken in accordance with the distinctive tree permit on the site; and
- (c) for a period of not less than seven (7) days following any action taken in accordance with the distinctive tree permit.

REVOCATION OF A DISTINCTIVE TREE PERMIT

24. (1) The General Manager may revoke a distinctive tree permit where,
- (a) the permit was issued on mistaken, misleading, false or incorrect information;
 - (b) the permit was issued in error;
 - (c) the owner or permit holder requests, in writing, that it be revoked; or

- (d) the owner or permit holder fails to comply with any condition of the distinctive tree permit or this by-law.
- (2) No person shall knowingly furnish false or incorrect information for the purposes of obtaining a distinctive tree permit.

PART IV

BY-LAW EXEMPTIONS

GENERAL EXEMPTIONS

25. A tree permit or a distinctive tree permit is not required in the following circumstances where,
- (a) pruning is necessary to maintain the health and condition of the tree and is carried out in accordance with good arboricultural practices;
 - (b) the tree is not a distinctive tree and is located on property one hectare or less in area;
 - (c) the tree is located within a building, a solarium, a rooftop garden or an interior courtyard;
 - (d) the tree to be destroyed is located within an actively managed, cultivated orchard, tree farm or plant nursery and is harvested for the purposes for which the tree was planted;
 - (e) the injury or destruction is required as part of the operation of an existing cemetery or golf course;
 - (f) the tree is an immediate threat to public health and safety; or
 - (g) the injury or destruction is a normal farm practice carried out as part of an agricultural operation by a farming business.

STATUTORY EXEMPTIONS

26. A tree or a distinctive tree permit is not required in the following circumstances where,
- (a) activities or matters are undertaken by the City or a local board of the City;
 - (b) activities or matters are undertaken by a Conservation Authority under the authority of the *Conservation Authorities Act*;
 - (c) activities or matters are undertaken by a licence issued under the *Crown Forest Sustainability Act, 1994*, as amended;
 - (d) trees are injured or destroyed by a person licensed under the *Surveyors Act* to engage in the practice of cadastral surveying, or his or her agent while making a survey;
 - (e) trees are injured or destroyed by a transmitter or distributor, as those terms are defined in section 2 of the *Electricity Act, 1998*, as amended, for the purpose of constructing or maintaining a transmission system or distribution system, as defined in the *Electricity Act, 1998*, as amended;

- (f) trees are injured or destroyed as a condition of approval imposed after December 31, 2002 with respect to a site plan, plan of subdivision, a consent, a development permit under sections 41, 51, 53 or 70.2 respectively of the *Planning Act*, as amended, or as a requirement of an agreement entered into under those sections;
- (g) the injury or destruction occurs on land described in a license for a pit or quarry or a permit for a wayside pit or a wayside quarry issued under the *Aggregate Resources Act*, as amended; or
- (h) the injury or destruction is required in order to lawfully establish and operate or enlarge any pit or quarry on land:
 - (i) that has not been designated under the *Aggregate Resources Act*, as amended or a predecessor of that *Act*; and
 - (ii) on which a pit or quarry is a permitted land use under a by-law passed under Section 34 of the *Planning Act*.

PART V
ENFORCEMENT

ENFORCEMENT BY BY-LAW OFFICER

27. (1) This by-law shall be enforced by a By-law Officer.
- (2) A By-law Officer may, at any reasonable time, enter and inspect any land to determine if this By-law, a Order issued under this By-law of a condition of issuance of a tree permit or a distinctive tree permit has been complied with provided that the power of entry does not allow the By-law Officer to enter into any building on the land.
- (3) A By-law Officer may, in carrying out an inspection pursuant to subsection (2), be accompanied by the General Manager and any other person possessing expert or special knowledge necessary to assist the By-law Officer with their enforcement activities.
- (4) A By-law Officer may require the production for inspection of the tree conservation report or the arborist report, as applicable, and inspect and remove such report for the purpose of making copies.
- (5) A receipt shall be provided for any report removed under subsection (4) and the report shall be promptly returned after the copies are made.
- (6) A By-law Officer may take photographs necessary for the purpose of the inspection.
- (7) No person or permit holder shall hinder or obstruct or attempt to hinder or obstruct the By-law Officer in the discharge of duties under this by-law.

STOP WORK ORDERS

28. (1) Where the General Manager is satisfied that a contravention of this by-law has occurred, the General Manager may issue a Stop Work Order requiring the person who contravened the by-law or that caused or permitted a contravention of the by-law to stop any injury or destruction.
- (2) The Stop Work Order shall set out reasonable particulars of the contravention adequate to identify the contravention, the location of the contravention and the date by which there must be compliance with the Stop Work Order.
- (3) No person or permit holder shall fail to comply with a Stop Work Order issued by the General Manager pursuant to subsection (1).

29. (1) A Stop Work Order issued under Section 28 may be served personally by the By-law Officer, may be posted in a conspicuous place on the property where the contravention occurred or may be sent by registered mail to the person contravening the by-law.
- (2) Where a Stop Work Order under this by-law is served personally by the By-law Officer, it shall be deemed to have been served on the date of delivery to the person or persons named.
- (3) The posting of the Stop Work Order on the affected lands shall be deemed to be sufficient service of the Stop Work Order on the person or corporation to whom the Stop Work Order is directed on the date it is posted.
- (4) Where a Stop Work Order issued under the by-law is sent by registered mail, it shall be sent to the last know address of,
 - (a) the applicant;
 - (b) the owner; or
 - (c) the person or company retained to undertake the injury or destruction,and shall be deemed to have been served on the fifth day after the Stop Work Order or Order is mailed.

OFFENCES AND PENALTIES

30. (1) Subject to subsection (2), every person who contravenes any provision of this by-law is guilty of an offence as provided for in subsection 492(1) of the Municipal Act, 2001.
- (2) Every person who contravenes a Stop Work Order that is issued pursuant to Section 28 of this by-law is guilty of an offence and the offence is hereby designated a continuing offence as provided for in subsection 492(2)(a) of the Municipal Act, 2001.

31. A person who is convicted of an offence under subsection 30(1) of this by-law is liable to a minimum fine of \$500.00 and a maximum fine of \$100,000.00 as provided for in subsection 429(3) 1. of the Municipal Act, 2001.

32. A person who is convicted of an offence under subsection 30(2) of this by-law is liable, for each day or part of a day that the offence continues, to a minimum fine of \$500.00 and a maximum fine of \$10,000.00 and the total of all daily fines for the offence is not limited to \$100,000.00 as provided for in subsection 429(3) 2. of the Municipal Act, 2001.

33. When a person has been convicted of an offence under this by-law, the Superior Court of Justice or any court of competent jurisdiction thereafter, may, in addition to any penalty imposed on the person convicted, issue an order

- (a) prohibiting the continuation or repetition of the offence by the person convicted; and
- (b) requiring the person convicted to correct the contravention in the manner and within the period that the court considers appropriate.

PART VI
ADMINISTRATION

SHORT TITLE

34. This by-law may be referred to as the “Urban Tree Conservation By-law”.

EFFECTIVE DATE

35. (1) Subject to subsection (2), this by-law shall come into force and take effect on the date that it is enacted.
- (2) Part III of this by-law shall come into force and take effect on September 1, 2009. (2009-268)

ENACTED AND PASSED this 24th day of June, 2009.

CITY CLERK

DEPUTY MAYOR

Schedule “A”

Tree Conservation Report Guidelines

The importance of protecting vegetation cover on sites subject to development is outlined in the Official Plan (Section 4.7.2). Together, the Tree Conservation Report and the Landscape Plan ensure that trees will be retained in development scenarios, where feasible, and that new trees will be planted to contribute to the City’s forest cover target and to address a site’s tree loss.

The purpose of the Tree Conservation Report is to retain as much natural vegetation as possible, including mature trees, stands of trees, and hedgerows, using a design with nature approach to planning and engineering. A design with nature approach incorporates the natural features of a site into the design and engineering of a proposed development. This includes, but is not limited to, measures such as retention of vegetation, consideration of wildlife habitats, and respect for natural drainage patterns.

The report should consider natural features not just on the study site, but on the surrounding landscape as well. This will provide context for the site and show natural area representation at a larger scale surrounding the given site.

The report will identify and describe the vegetative cover on the site prior to development. It will provide a professional opinion as to the priority that should be given to the conservation of the treed areas on site. And it will show how the priority features have been incorporated into the proposed development.

Process

- The Tree Conservation Report is required for all Plans of Subdivision, Site Plan Control Applications, Common Elements Condominium Applications, and Vacant Land Condominium Applications where there is a tree¹ of 10 centimeters in diameter or greater on the site.
- The report will be prepared by an individual with proven expertise and/or professional qualifications in forestry, ecology, biology, arboriculture, or landscape architecture in accordance with the definition of “arborist” in Section 1 of By-law No. 2009-200.
The qualifications of the person preparing the report will be indicated in the document.
- The Tree Conservation Report will be submitted for approval with a development application, before an application, or at the time of the pre-consultation. The approval of the report constitutes the permit to remove trees. It will be submitted and approved before any site alteration activities occur on site, including soil testing and other investigative site works.
- The report will be submitted in hard copy and digital format.
- The removal of trees on the site cannot occur until written approval of the Tree Conservation Report has been granted (as per By-law No. 2009-200)
- Amendments to the report may be submitted for approval if changes are required as a result of investigative site works, infrastructure and engineering approvals, or other plan changes.

¹ “Tree” is defined as any species of woody perennial plant, including its root system, which has reached or can reach a minimum height of at least 450 cm at physiological maturity.

Tree removal, and any activities that could injure trees, must not occur until the amendment has been approved.

- A copy of the report must be available on-site during tree removal, grading, construction, and any other site alteration activities.
- Adherence to the directions outlined in the Tree Conservation Report will be monitored on site by City staff during construction.
- The Landscape Plan will follow the recommendations made and approved in this report.
- Elements outlined in the Tree Conservation Report will be incorporated into conditions of draft plan approval where relevant.
- If an Environmental Impact Statement (EIS) is required for a given site, that report will take the place of the Tree Conservation Report. The EIS will contain the elements listed below in addition to the EIS requirements. Tree removal, and any activities that could injure trees, must not occur until written approval of the EIS is provided.

Elements

The Tree Conservation Report will include the following elements:

1. An inventory of the trees currently on site, including species composition, size, age, and condition and health of the trees.
2. A description of the environmental value of the trees within the site and their ecological function, including their context within the surrounding landscape. The following natural elements should be considered:
 - a. Surface water features, including wetlands and watercourses;
 - b. Steep slopes, including valleys and escarpments;
 - c. Valued woodlots designated as Urban Natural Features or Natural Environment Areas, areas evaluated in the Urban Natural Areas Environmental Evaluation Study (UNAEES), or other areas that meet the criteria used in the UNAEES;
 - d. In the rural area, identify the presence of significant woodlands, which are woodlands that contain mature stands of trees 80 years or older, have interior forest habitat more than 100 metres from forest edge, and are adjacent to a surface water feature;
 - e. Greenspace linkages as identified in the Greenspace Master Plan or as may occur in the larger landscape;
 - f. High quality, specimen trees;
 - g. The presence of rare communities or other unique ecological features, as may be identified in available data sources including the Natural Environment System Strategy, Natural Heritage Information Centre, Ecological Land Classification, or other MNR data;
 - h. Species at Risk and their habitat.
3. *Map #1 Current Vegetation* - A current aerial photograph of the site (available through the City's e-map tool) showing the current vegetation mapped as an overlay. This map should be at the same scale as the draft plan of subdivision or site plan. The following elements must be included:
 - a. The property line;
 - b. The vegetation communities;
 - c. Single trees and small clumps of trees;
 - d. Existing buildings and impervious surfaces (e.g. driveways and parking lots);
 - e. Surface water features;

- f. Steep slopes;
 - g. Locations of wetlands, valued woodlots, high quality trees, rare communities, and Species at Risk, including their habitat;
 - h. Greenspace linkages (for larger scale linkages, this can also be shown on a separate map);
 - i. Names of surrounding roads;
 - j. Standard mapping elements such as a north arrow, scale, date, and legend.
4. *Map #2 Proposed Development and Conserved Vegetation* – The same aerial photograph of the site as in Map #1 showing the proposed development or the proposed plan of undertaking² as an overlay. This should be at the same scale as the draft plan of subdivision or site plan. The following elements must be included:
- a. Proposed development (including; roads, infrastructure, stormwater management, lot lines, etc.) or the proposed plan of undertaking;
 - b. The property line;
 - c. Existing buildings and impervious surfaces (e.g. driveways and parking lots);
 - d. Treed areas identified for protection;
 - e. Surface water features;
 - f. Steep slopes;
 - g. Locations of wetlands, valued woodlots, high quality trees, rare communities, and Species at Risk;
 - h. Remaining greenspace linkages (for larger scale linkages, this can also be shown on a separate map);
 - i. Names of surrounding roads;
 - j. Standard mapping elements such as a north arrow, scale, date, and legend.
5. Identify what vegetation will be retained and why it has been chosen for retention. If there are several vegetated areas on site or a large area, it should be identified how the areas are prioritized for retention.
6. An indication of how parkland dedication, road locations, infrastructure, stormwater management facilities, creative lot layouts, and design approaches can help to conserve vegetated areas, where feasible.
7. Describe the area and nature of vegetation loss on the site and how it will affect the natural systems on site and on the surrounding landscape. Refer to the features outlined in #2 a-h.
8. The impact of the development on the conserved portions of vegetation should be examined and outlined, including and not limited to the impacts of grade change, changes to drainage patterns, effects of impervious surfaces and new buildings, and changes in the water table.
9. Describe mitigation measures that will be used to promote the long-term survival of retained trees and woodlands (e.g. buffers for protection, fencing, single loaded roads along forest stands, edge preparation).
10. Outline the protection measures during construction for trees and woodlands being retained that may be impacted by the construction. Where feasible, show that efforts will be made to protect trees on adjacent property that may be impacted by the construction. Use the following protection measures for retained trees:

² A plan of undertaking could include a plan for investigative site works or a plan for sustainable forest management on the site.

- erect a fence at the critical root zone³ (CRZ) of trees;
 - do not place any material or equipment within the CRZ of the tree;
 - do not attach any signs, notices or posters to any tree;
 - do not raise or lower the existing grade within the CRZ without approval;
 - tunnel or bore when digging within the CRZ of a tree;
 - do not damage the root system, trunk or branches of any tree;
 - ensure that exhaust fumes from all equipment are NOT directed towards any tree's canopy.
11. Where there is substantial alteration of the tree cover on the site, consider the impact on fauna or rare species during and after construction and propose mitigation measures. Indicate how this is meeting any existing legislation on species protection.
 12. Include tree planting recommendations for the site which will direct the development of the Landscape Plan, including the following recommendations:
 - a. The species to be used for the given site conditions;
 - b. The use of native, non-invasive tree species. In applicable areas, the Guidelines for Planting in Areas of Sensitive Marine Clay must be followed;
 - c. Where tree planting is required to provide protection for watercourses and steep slopes;
 - d. How the proposed tree planting will help offset the vegetation loss on site;
 - e. How the tree planting recommendations implement existing plans and policies for the site, including a Community Design Plan, Neighbourhood Plan, Heritage Streetscape, Design Guidelines, and Landscape Guidelines.

Information to be included with Tree Conservation Report

1. The name, address and telephone number of the owner.
2. The name, address and telephone number of the applicant, if different from the owner and the owner's written consent to the application.
3. The name, address and telephone number of the professional hired by the owner or applicant to complete the report.
4. The name, address and telephone number of the contractor implementing the tree and forest conservation plan, if applicable.
5. The municipal address and legal description of the land, upon which the trees are proposed to be protected, injured or destroyed.
6. Confirmation of existing Official Plan and zoning designations, and the status of any planning applications on the property.
7. The purpose for which the Tree Conservation Report is being prepared.

³ The critical root zone (CRZ) is established as being 10 centimetres from the trunk of a tree for every centimetre of trunk DBH. The CRZ is calculated as DBH x 10 cm.

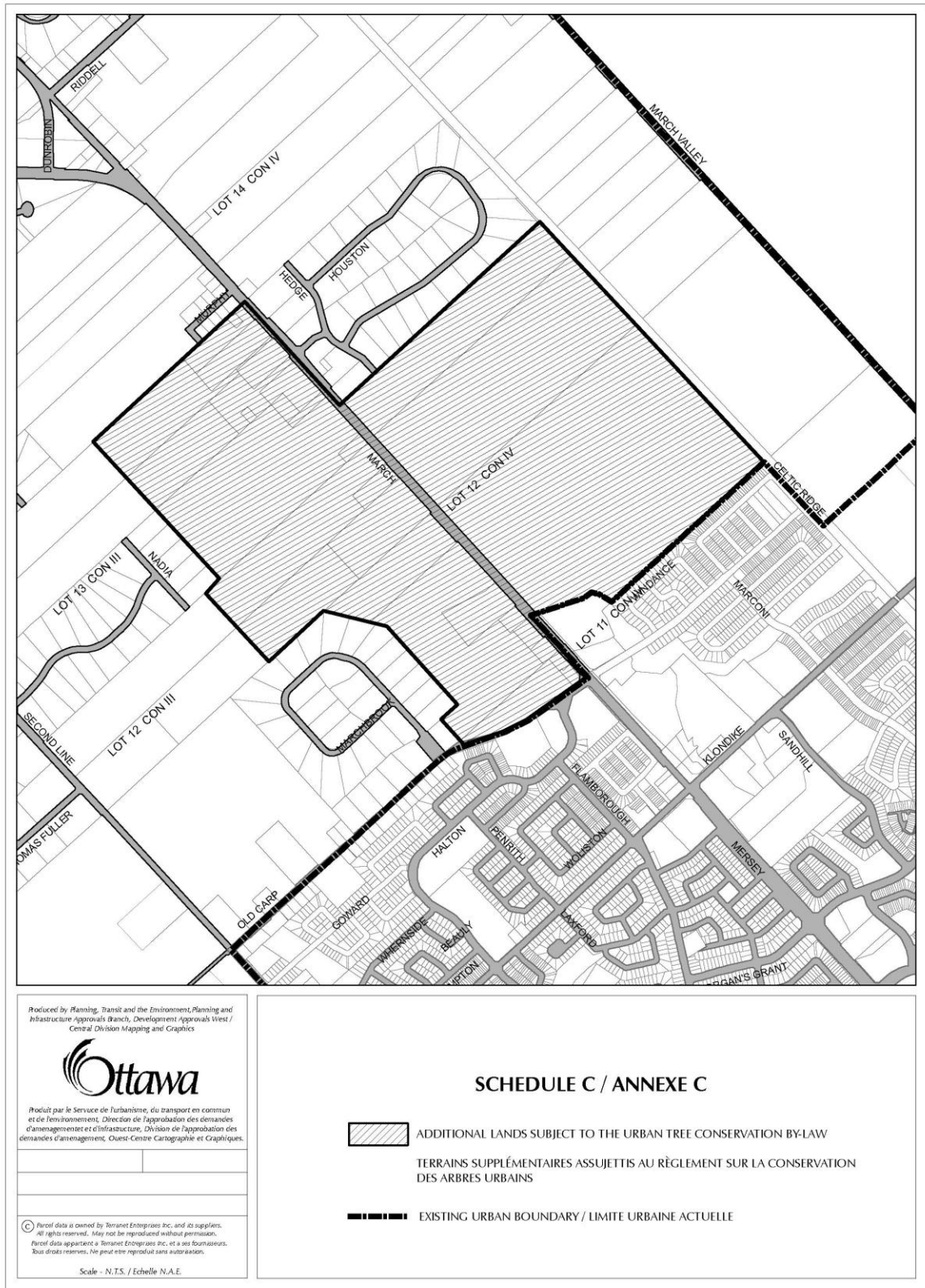
8. A schedule of the proposed works, including the start and end dates and the construction period.
9. Confirmation of any other applications affecting the land, upon which the trees are to be protected, injured or destroyed.

Schedule “B”**Permit Fees**

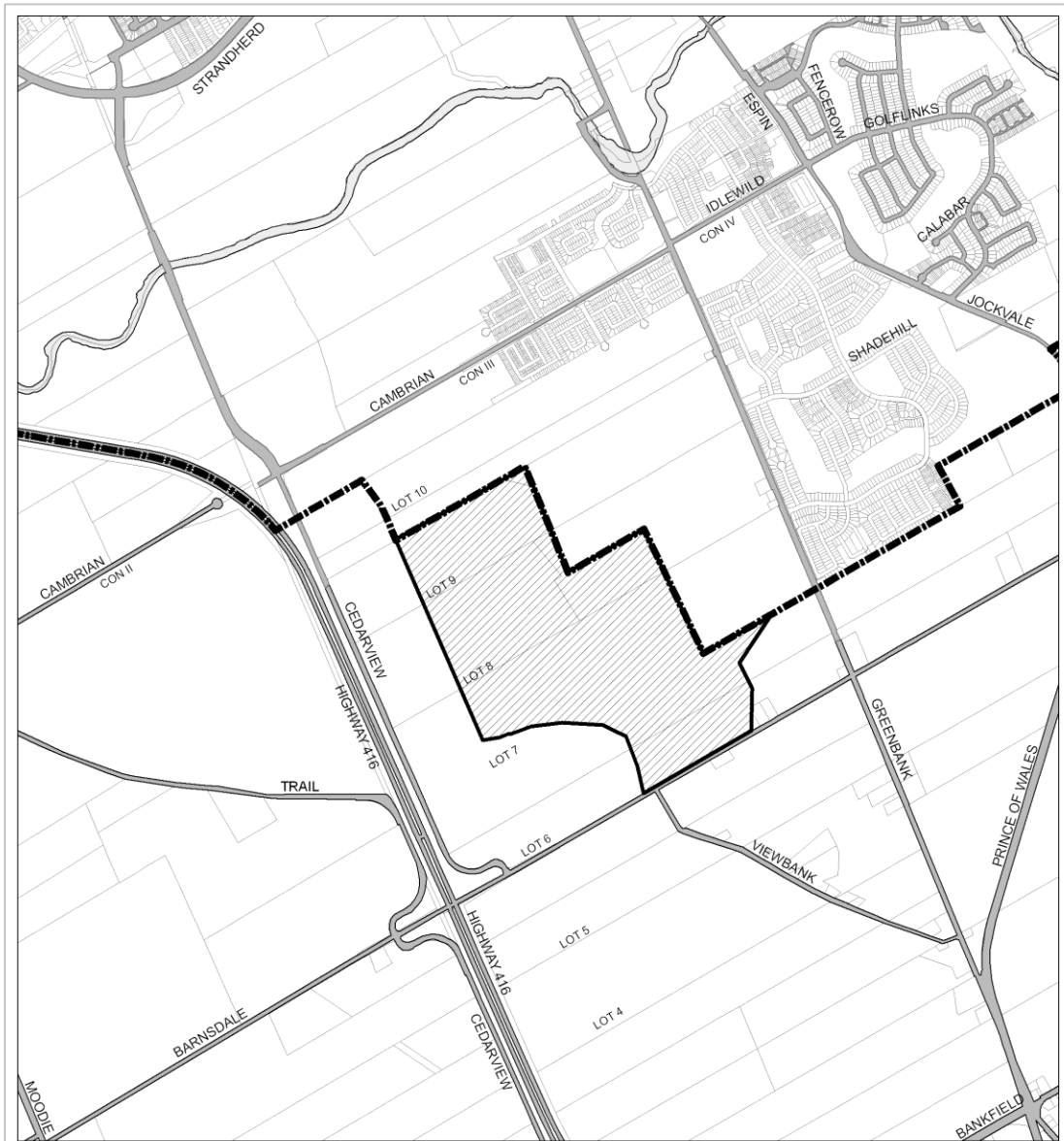
Tree Permit	\$100.00
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1. With respect to the tree permit, where application for a tree permit is part of investigative site works or a development application, the fee is contained within the development application fee

SCHEDULE "C" (2014-306)



SCHEDULE "D"



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SCHEDULE D / ANNEXE D



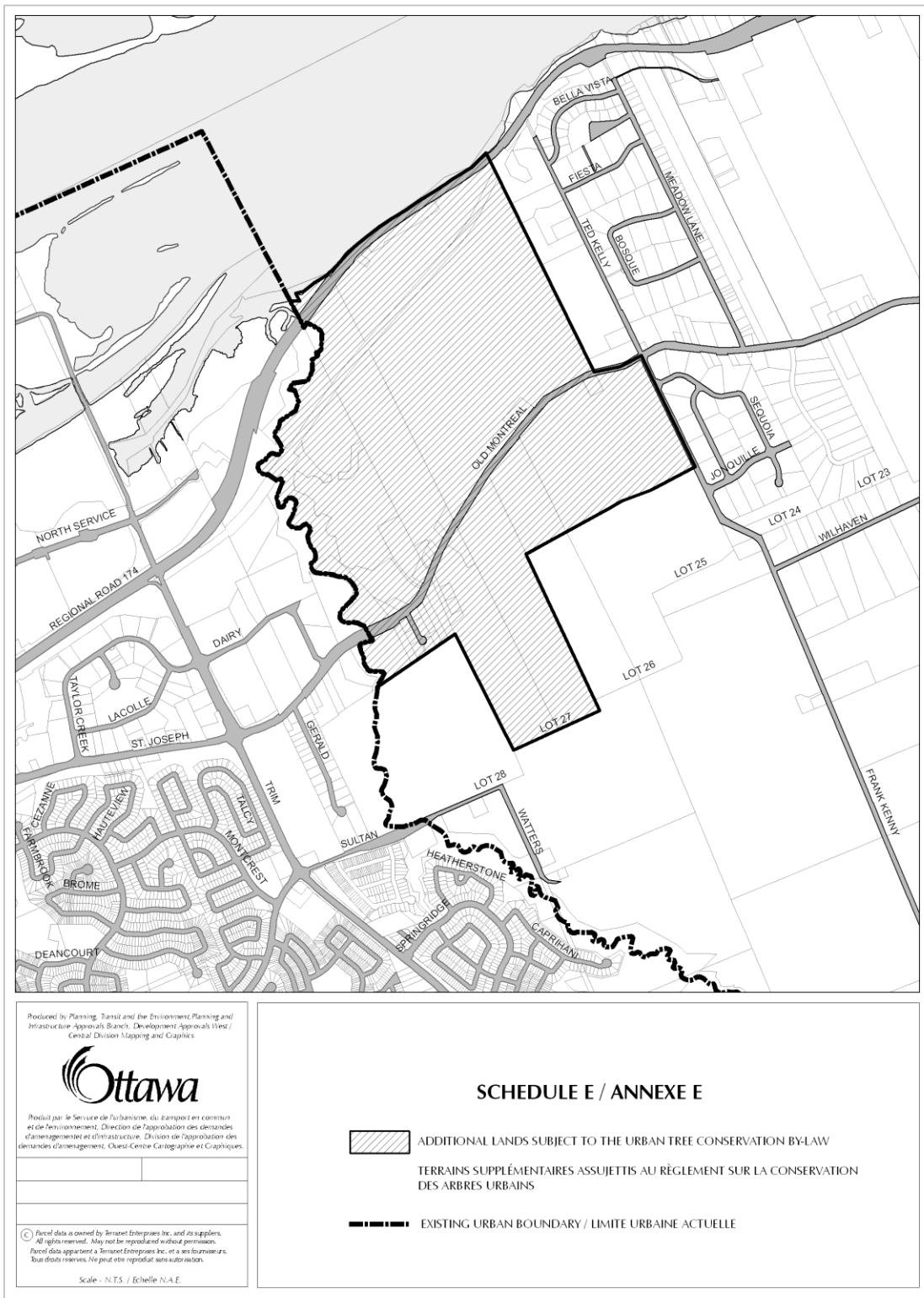
ADDITIONAL LANDS SUBJECT TO THE URBAN TREE CONSERVATION BY-LAW

TERRAINS SUPPLÉMENTAIRES ASSUJETTIS AU RÈGLEMENT SUR LA CONSERVATION
DES ARBRES URBAINS

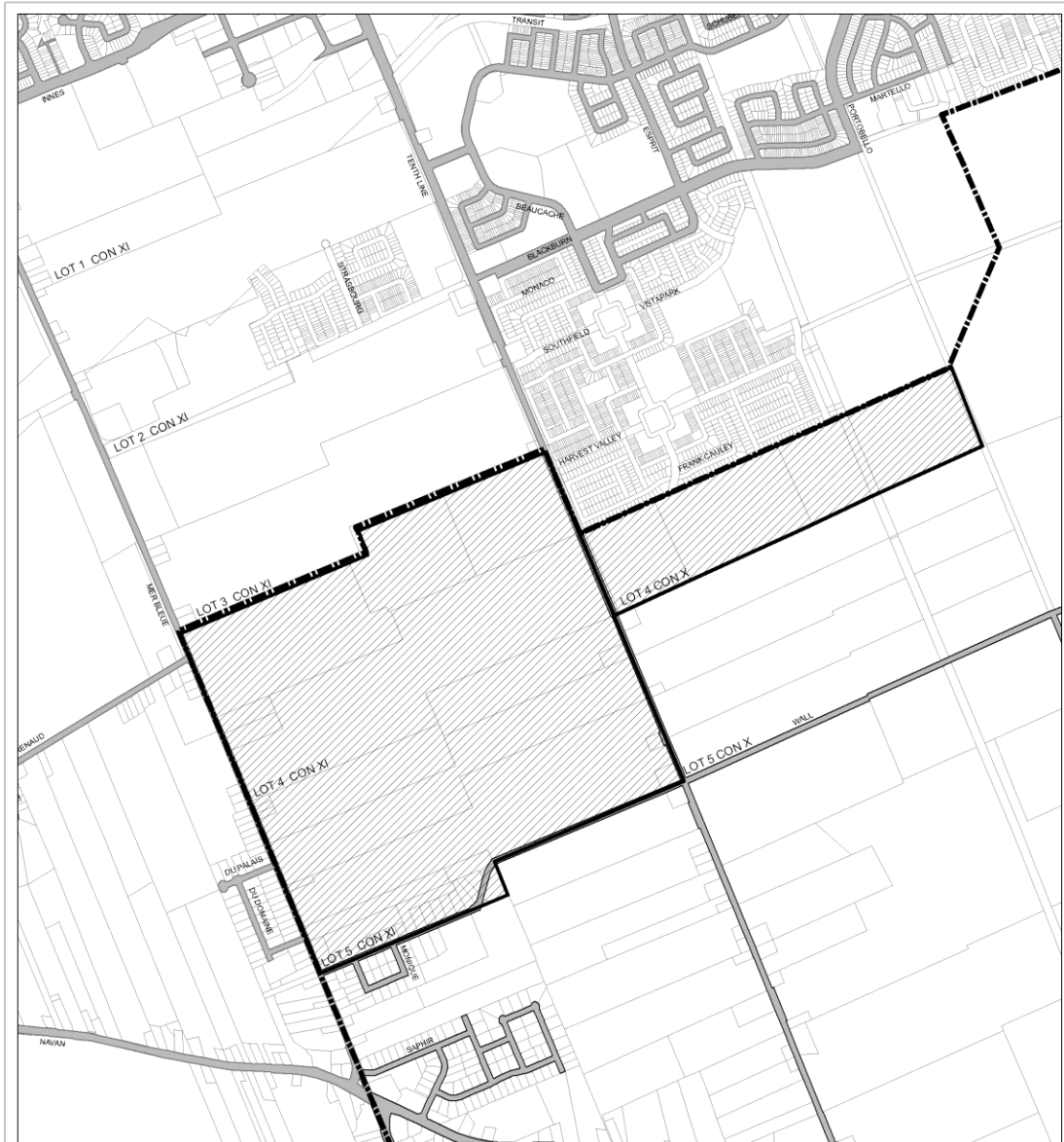


EXISTING URBAN BOUNDARY / LIMITE URBAINE ACTUELLE

SCHEDULE "E"



SCHEDULE "F"



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SCHEDULE F / ANNEXE F



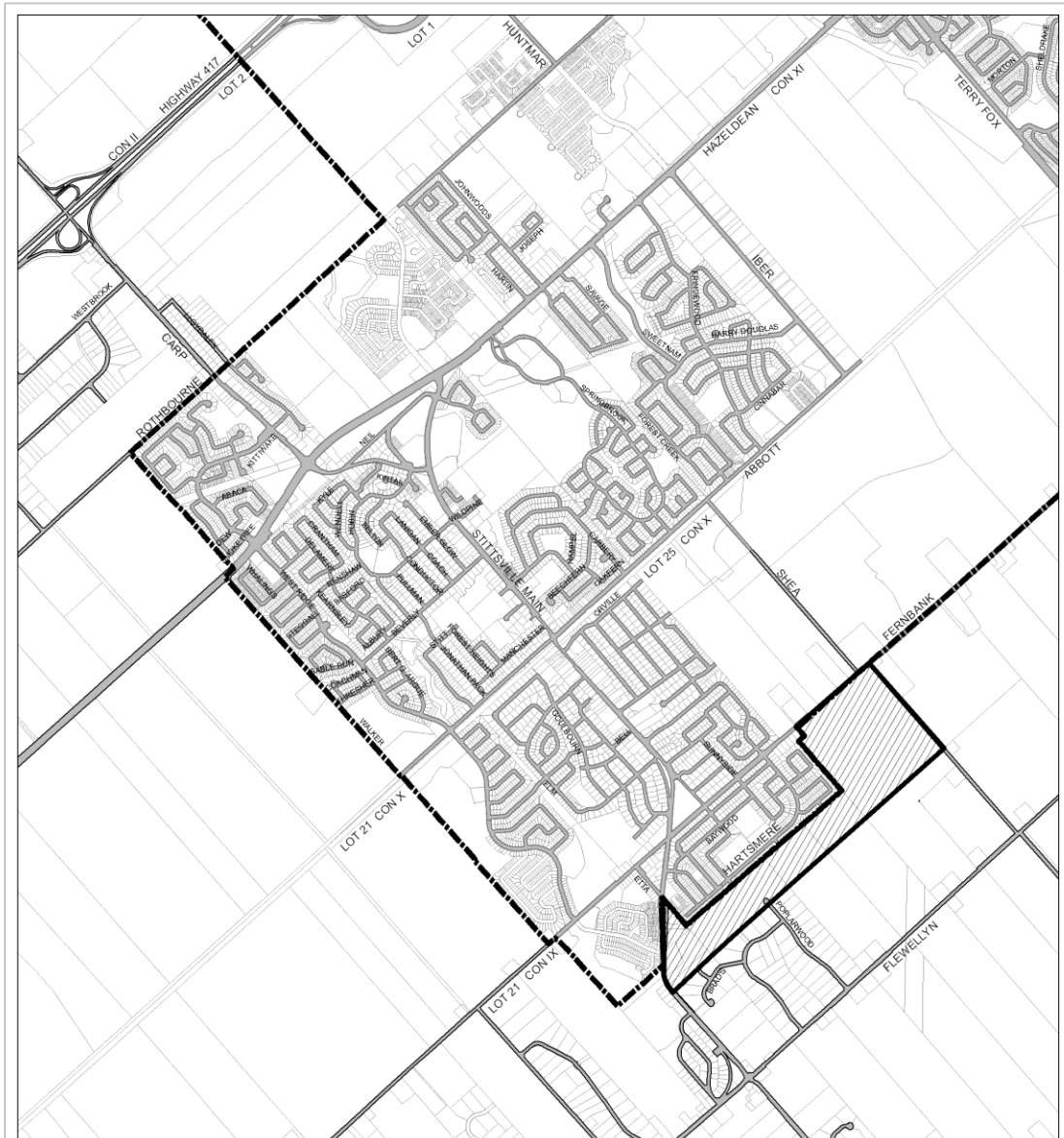
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DES ARBRES URBAINS



EXISTING URBAN BOUNDARY / LIMITE URBAINE ACTUELLE

SCHEDULE "G"



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SCHEDULE G / ANNEXE G



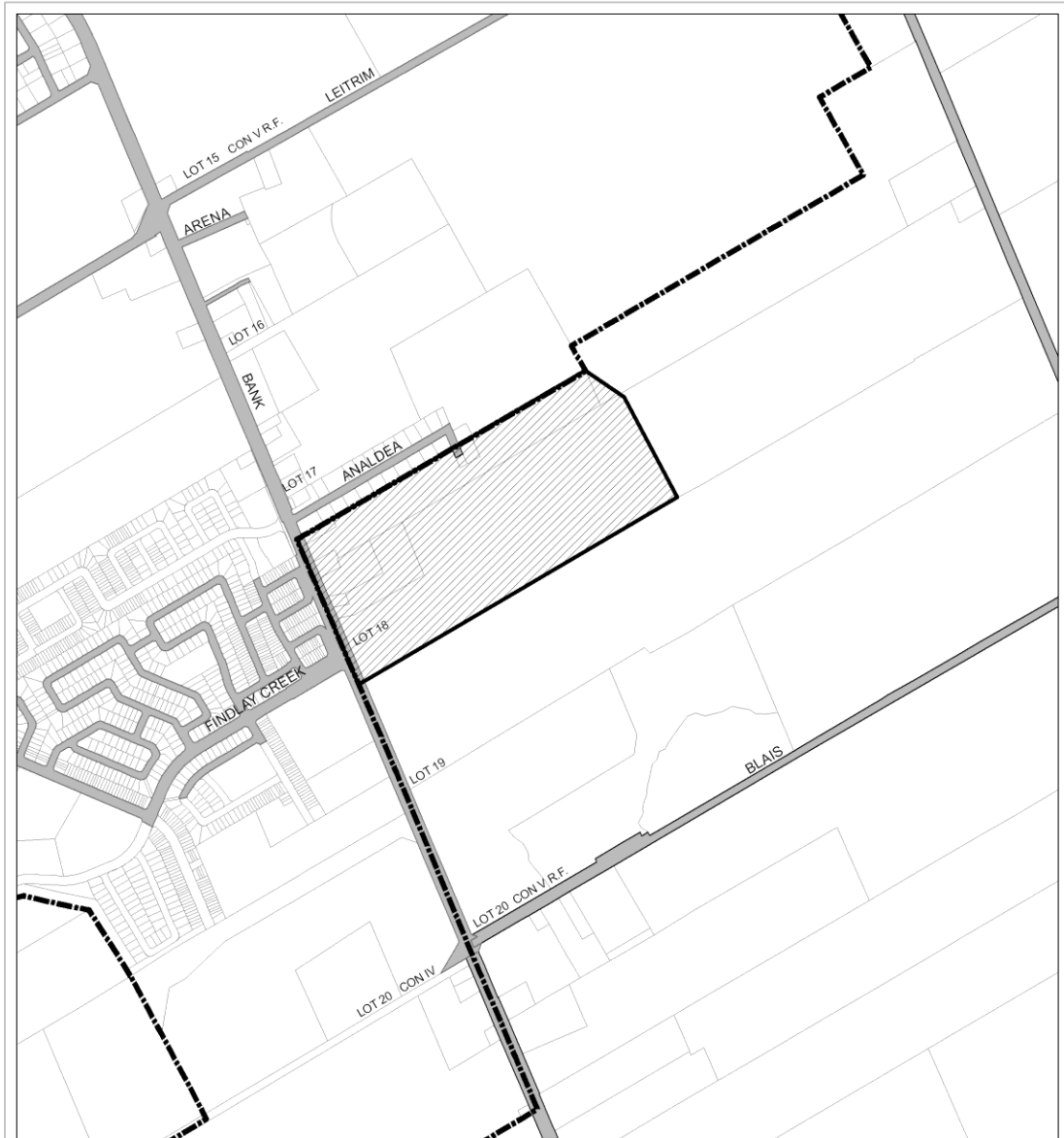
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TERRAINS SUPPLÉMENTAIRES ASSUJETTIS AU RÈGLEMENT SUR LA CONSERVATION
DES ARBRES URBAINS



EXISTING URBAN BOUNDARY / LIMITE URBAINE ACTUELLE

SCHEDULE "H"



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SCHEDULE H / ANNEXE H



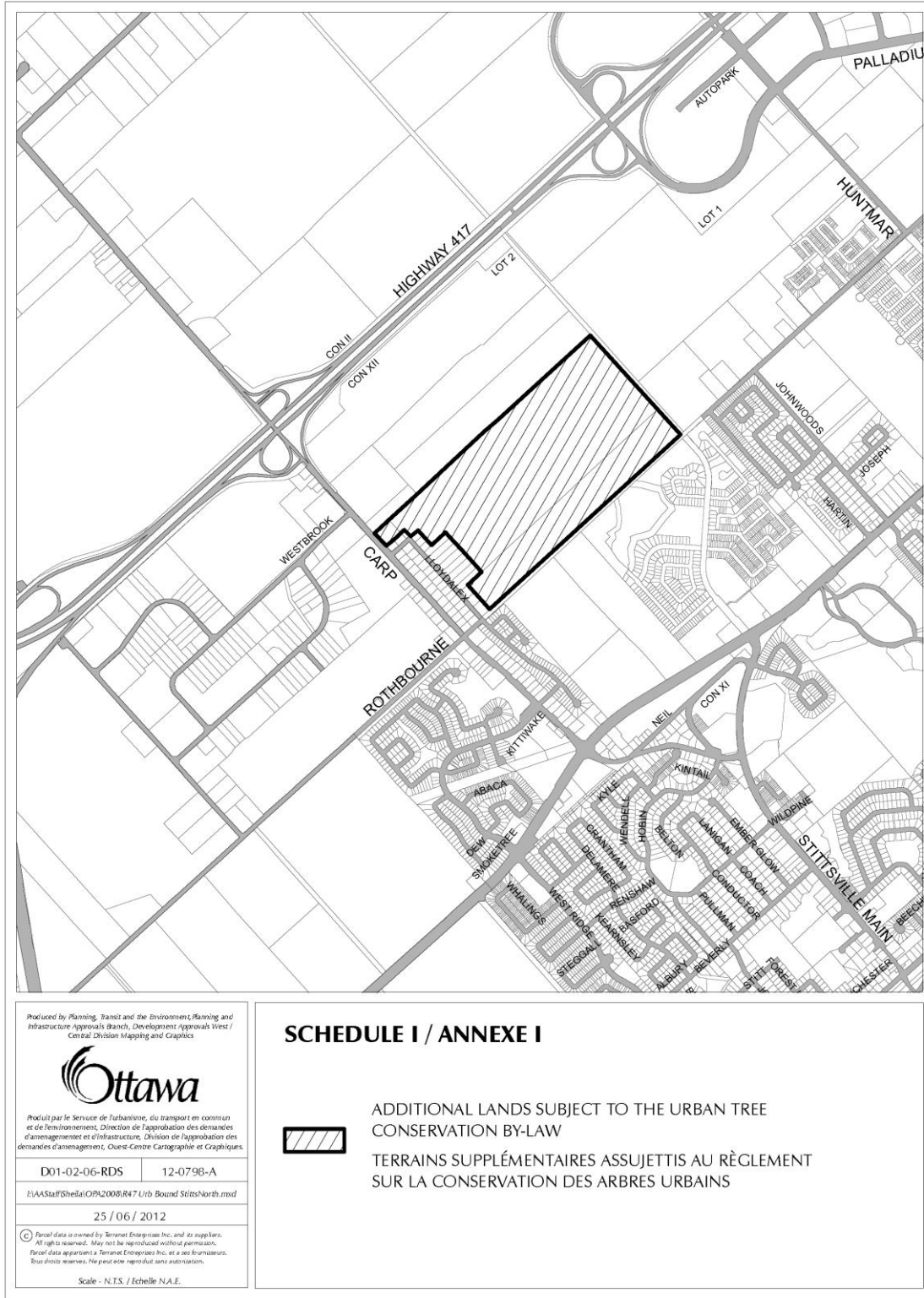
ADDITIONAL LANDS SUBJECT TO THE URBAN TREE CONSERVATION BY-LAW

TERRAINS SUPPLÉMENTAIRES ASSUJETTIS AU RÈGLEMENT SUR LA CONSERVATION
DES ARBRES URBAINS



EXISTING URBAN BOUNDARY / LIMITE URBAINE ACTUELLE

SCHEDULE I



SCHEDULE J



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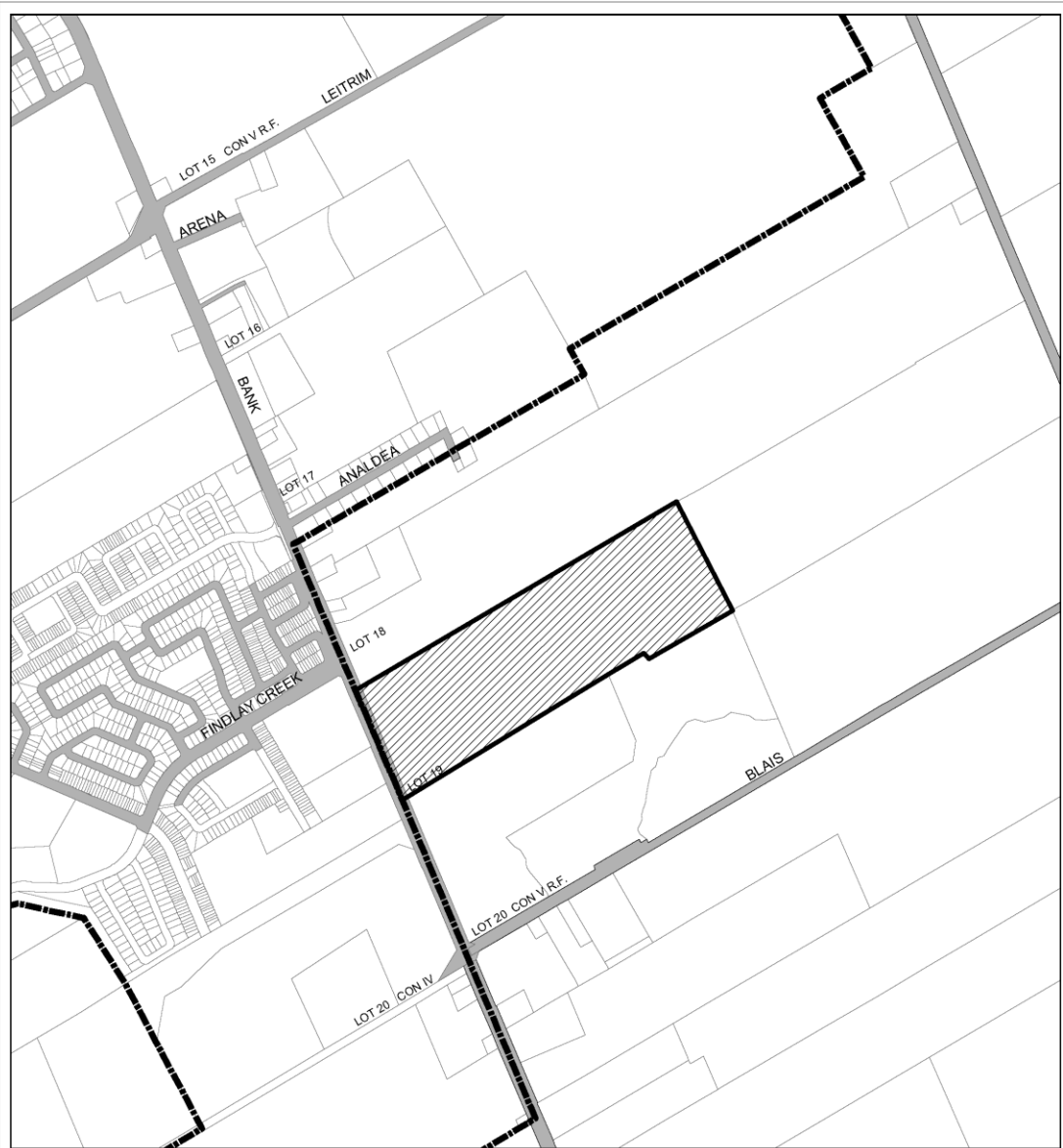
SCHEDULE J / ANNEXE J



ADDITIONAL LANDS SUBJECT TO THE URBAN TREE
CONSERVATION BY-LAW

TERRAINS SUPPLÉMENTAIRES ASSUJETTIS AU RÈGLEMENT
SUR LA CONSERVATION DES ARBRES URBAINS

SCHEDULE K



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D01-02-06-RDS

12-0798-A

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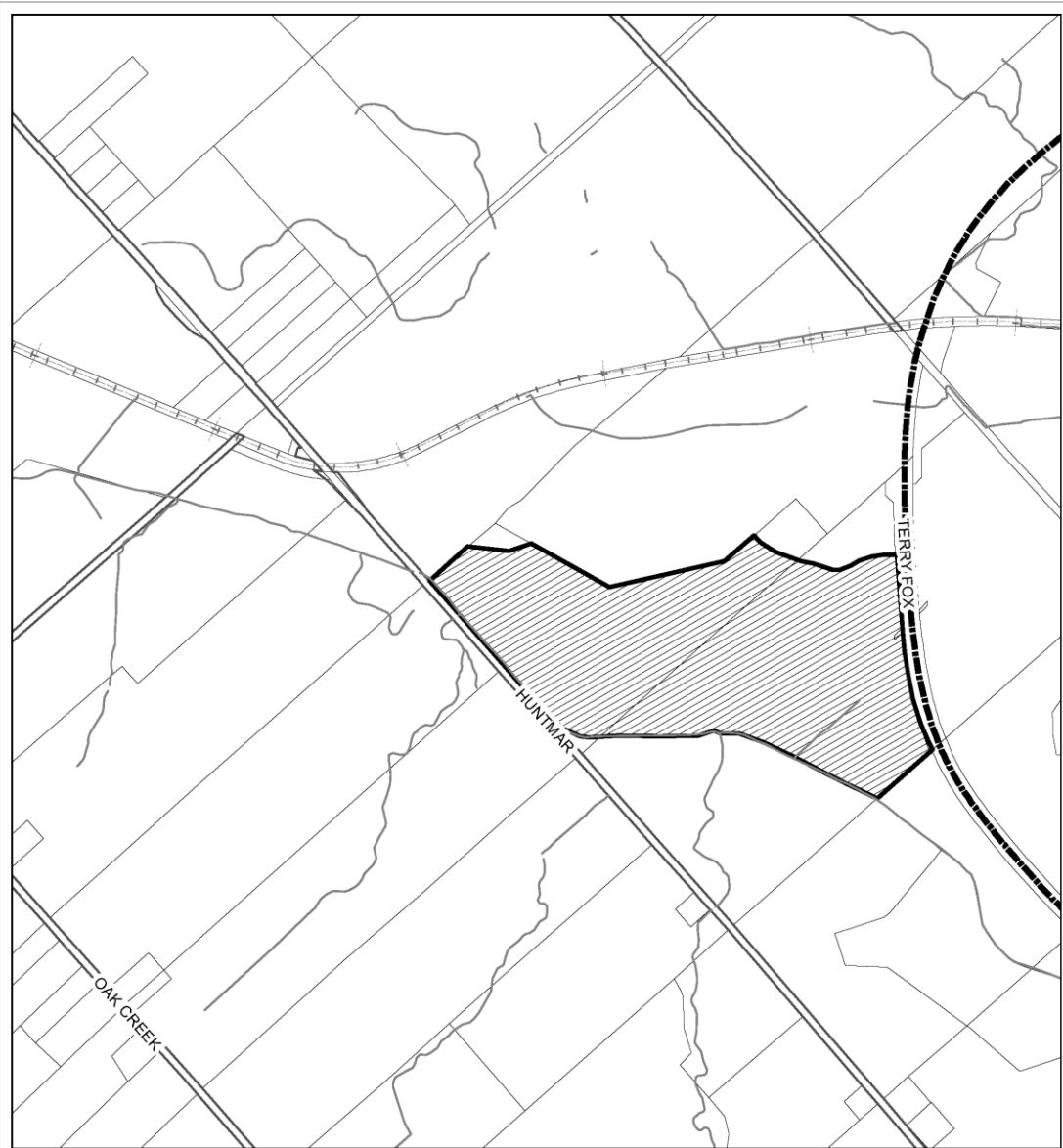
SCHEDULE K / ANNEXE K



ADDITIONAL LANDS SUBJECT TO THE URBAN TREE
CONSERVATION BY-LAW

TERRAINS SUPPLÉMENTAIRES ASSUJETTIS AU RÈGLEMENT
SUR LA CONSERVATION DES ARBRES URBAINS

SCHEDULE L



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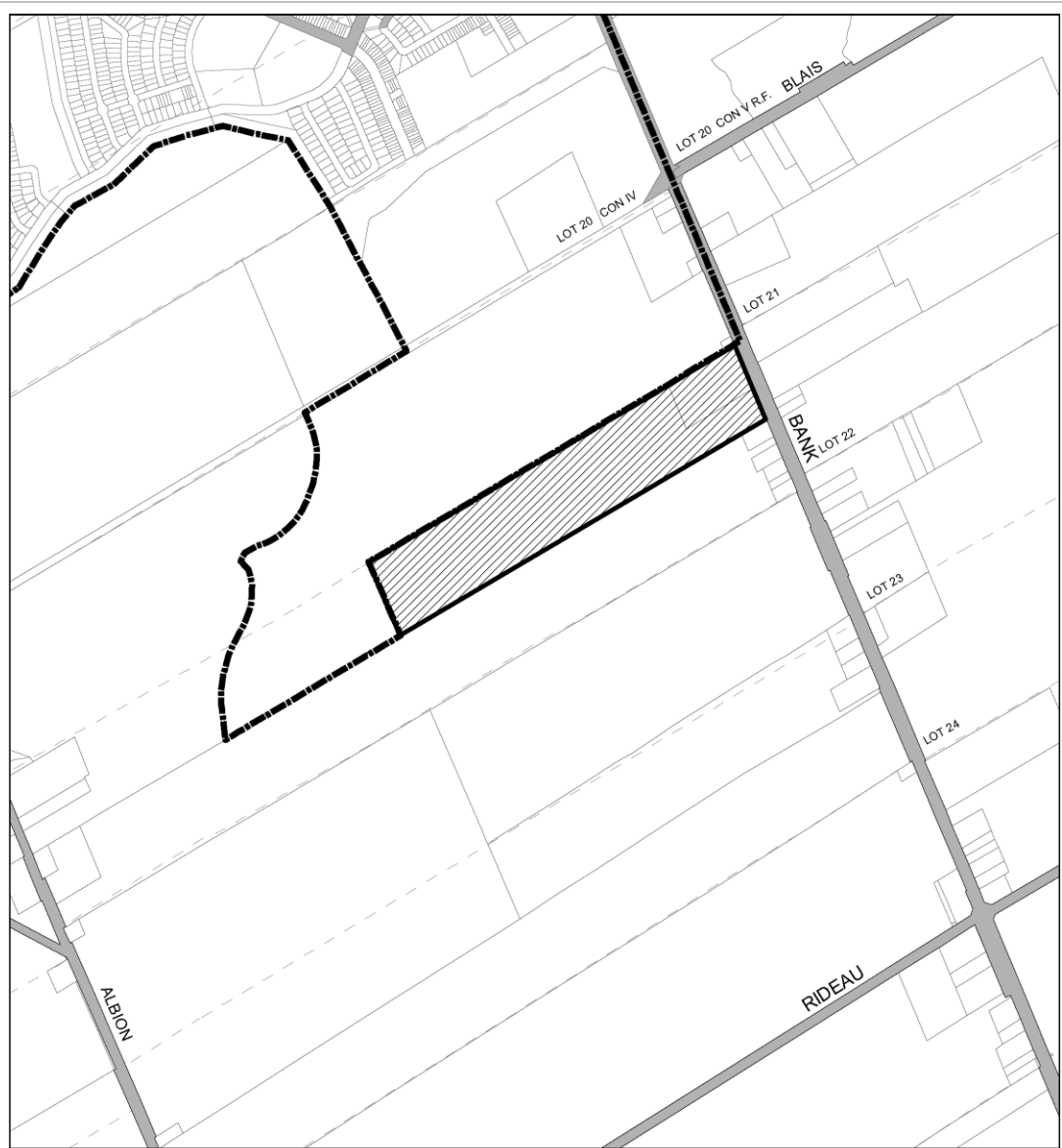
SCHEDULE L / ANNEXE L



ADDITIONAL LANDS SUBJECT TO THE URBAN TREE
CONSERVATION BY-LAW

TERRAINS SUPPLÉMENTAIRES ASSUJETTIS AU RÈGLEMENT
SUR LA CONSERVATION DES ARBRES URBAINS

SCHEDULE M



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06-1821-Y

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SCHEDULE M / ANNEXE M



ADDITIONAL LANDS SUBJECT TO THE URBAN TREE
CONSERVATION BY-LAW

TERRAINS SUPPLÉMENTAIRES ASSUJETTIS AU RÈGLEMENT
SUR LA CONSERVATION DES ARBRES URBAINS

Schedule N (2013-102)



Produced by Planning and Growth Management Department
Business Services
Mapping and Graphics Unit

Ottawa

Produit par le Service de l'urbanisme et de la gestion de la croissance,
Services des affaires,
Unité de la cartographie et des graphiques

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2013 / 04 / 19

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SCHEDULE N / ANNEXE N



INFILL AREA / RÉGION INTERCALAIRE



EXISTING URBAN BOUNDARY / LIMITE URBAINE ACTUELLE

BY-LAW NO. 2009 - 200

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A by-law of the City of Ottawa to protect trees on private property in the urban area.

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Enacted by City Council at its meeting of June 24, 2009.

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LEGAL SERVICES
amp - G04-01- URBA

COUNCIL AUTHORITY:
City Council June 24, 2009
PEC Report 53, Item 8